

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Allen Phillip PETROSKEY et al.  
Appl. No.: New Group:  
Filed: October 15, 2003 Examiner:  
For: WRITING INSTRUMENT WITH ROTATABLE DESIGN  
ELEMENT

INFORMATION DISCLOSURE STATEMENT  
(SUBMISSION CONCURRENT WITH THE  
FILING OF A NEW PATENT APPLICATION)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

October 15, 2003

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications, or other information submitted for consideration by the Office are listed on PTO-1449, attached hereto.

II. COPIES

- a. ☐ This application was filed before June 30, 2003. Accordingly, submitted herewith is a legible copy of (i) each U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.
- b. ☒ This application was filed on or after June 30, 2003. Accordingly, copies of cited US patents and patent application publications therefore are not included. Copies of foreign patent documents and non-patent literature are included.

- c. ☐ This application is a National Phase of a PCT application. Some or all of the documents listed on the PTO-1449 are not enclosed because they were cited in the International Search Report and copies should be forwarded from the International Search Authority. If copies are needed, please contact the undersigned.

III. CONCISE EXPLANATION OF THE RELEVANCE  
(check at least one box)

- a. ☒ **DOCUMENTS IN THE ENGLISH LANGUAGE**

The patents, publications, or other information listed on the attached PTO 1449 are in the English language and therefore, do not require a statement of relevancy.

- b. ☐ **DOCUMENTS NOT IN THE ENGLISH LANGUAGE**

A concise explanation of the relevance of all patents, publications, or other information listed that is not in the English language is as follows:

- c. ☐ **ENGLISH LANGUAGE SEARCH REPORT**

An English language version of the search report or action that indicates the degree of relevance found by the foreign office is attached, thereby satisfying the requirement for a concise explanation. See MPEP 609(III) (A) (3).

- d. ☐ **OTHER**

The following additional information is provided for the Examiner's consideration.

FEES

This Information Disclosure Statement is being filed concurrently with the filing of a new patent application; therefore, no fee is required.

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule and charge the appropriate fee to Deposit Account No. 02-2448.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By \_\_\_\_\_  
Robert A. Seldon, #27,156

RAS/jao  
COLOR/04

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Attachment(s) : ☒ Form PTO-1449(s)  
☐ Documents  
☐ Foreign Search Report  
☐ Fee  
☐ Other: \_\_\_\_\_

(Rev. 09/30/03)

Form PTO-1449		ATTY. DOCKET NO. COLOR/04		APPLICATION NO. New				
<b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b> (Use several sheets if necessary)		APPLICANT Allen Phillip PETROSKEY et al.						
		FILING DATE October 15, 2003		GROUP				
<b>U.S. PATENT DOCUMENTS</b>								
EXAMINER INITIAL	DOCUMENT NUMBER	Kind	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE	
	US 5,086,577		1992-02-11	R.R. Abernethy				
	US 2,896,348		1959-07-28	W.L. Herne				
	US 1,262,788		1918-04-16	I. Heidenreich				
	US 2,764,827		1956-10-02	G.R. Custin				
	US 3,156,960		1964-11-17	W.S. Klitzner				
	US							
	US							
	US							
	US							
	US							
<b>FOREIGN PATENT DOCUMENTS</b>								
Office	DOCUMENT NUMBER	Kind	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
							YES	NO
<b>OTHER DOCUMENTS</b> (Include Name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.)								
EXAMINER				DATE CONSIDERED				
EXAMINER: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.								

**IN THE UNITED STATES PATENT OFFICE**

In re new application for U.S. Patent:

Inventor: Allen PETROSKEY, et al.

5 Title: Writing Instrument With Rotatable Design Element

Atty. Dkt. No: COL/04